

M05-66559

Klamath County, Oregon

10/14/2005 08:48:51 AM

Pages 5 Fee: \$41.00

RECORDING REQUESTED BY:

GRANTOR: Environmental
Container Systems, Inc.
GRANTOR:

GRANTEE: PACIFICORP

RETURN TO:

o/c PACIFIC POWER
1950 MALLARD LANE
KLAMATH FALLS, OR 97601

RIGHT OF WAY EASEMENT

RECEIVED

BY: UB 11/14

41✓

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, Environmental Container Systems, Inc ("Grantor"), hereby grants to PacifiCorp, an Oregon corporation, its successors and assigns, ("Grantee"), a non-exclusive easement for a right of way 20 feet in width and 350 feet in length, more or less, for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of an underground electric distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: fibers, cables and other conductors and conduits therefore; and pads, transformers, switches, vaults on, across, or under the surface of the real property of Grantor in Klamath County, State of Oregon, more particularly described as follows and as more particularly described and/or shown on Exhibit(s) A B attached hereto and by this reference made a part hereof:

Said property generally located in the NE of NW Quadrant of Section 22 Township 39S Range 9E of the Willamette Meridian and more specifically described in Volume M05 Page 27447 in the official records of Klamath County.

Assessor's Map No. 3909-0220 Tax Parcel No. 00202-000

Together with the right of access to the right of way from adjacent lands of Grantor for all activities in connection with the purposes for which this easement has been granted; and together with the present and (without payment therefore) the future right to keep the right of way clear of all brush, trees, timber, structures, buildings and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

At no time shall Grantor place, light any fires, place or store any flammable materials (other than agricultural crops), on or within the boundaries of the right of way. Subject to the foregoing limitations, the surface of the right of way may be used for agricultural crops and other purposes not inconsistent, as determined by Grantee, with the purposes for which this easement has been granted.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns.

DATED this 26th day of May, 2005.

(Grantor)

(Grantor)

INDIVIDUAL OR REPRESENTATIVE ACKNOWLEDGEMENT

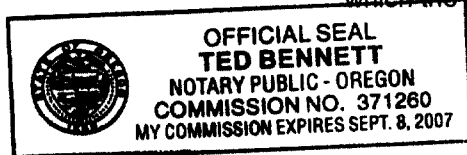
State of Oregon }

County of Trojline } ss

On May 26 2005 before me, TED BENNETT, Notary Public
Name, Title or Officer (eg Jane Doe, Notary Public)

personally appeared Dennis M Becklin
Name(s) of Signer(s)

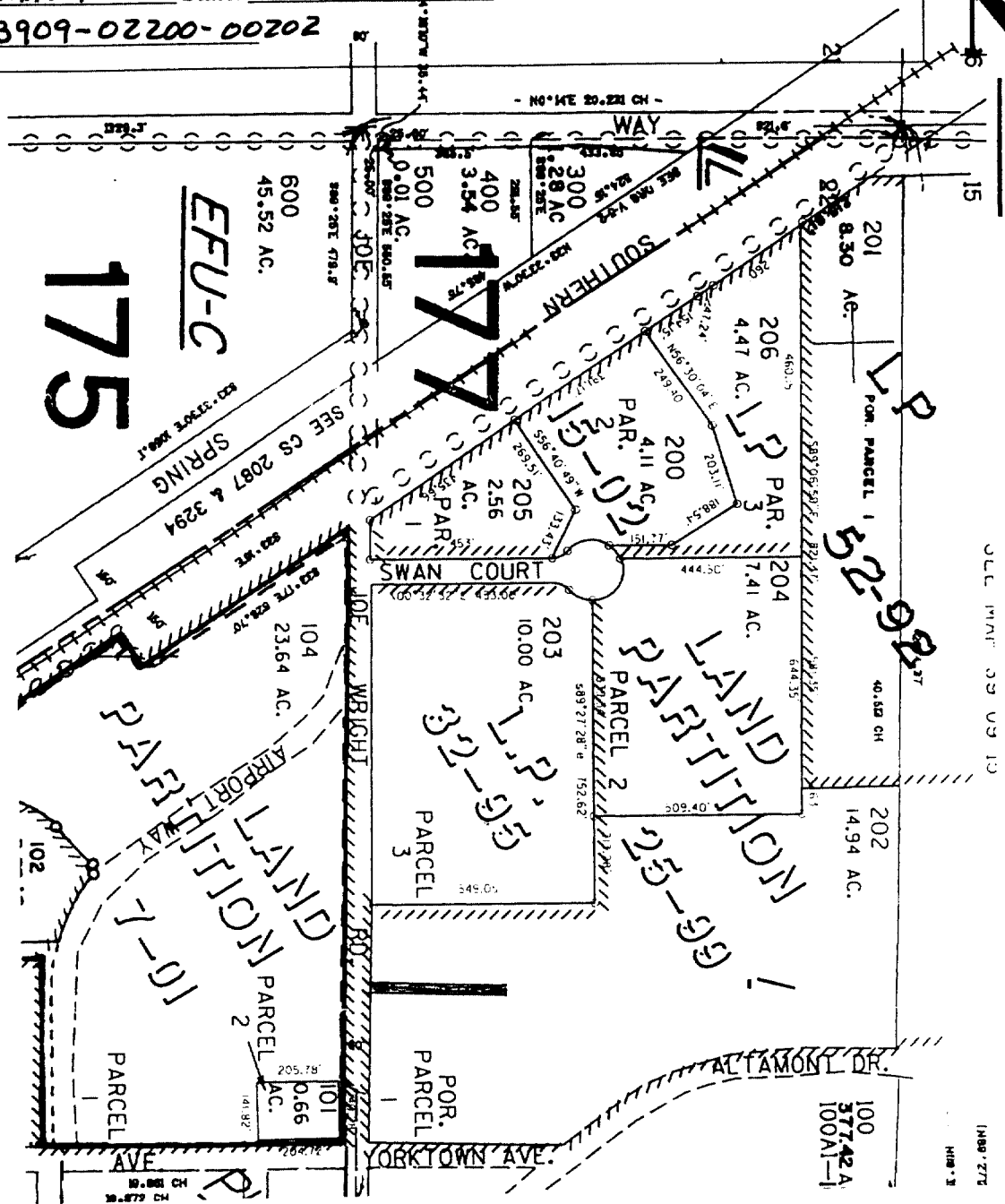
☒ personally known to me ~ OR ~ ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf which the person(s) acted, executed this instrument



WITNESS my hand and official seal.

Ted Bennett
SIGNATURE OF NOTARY

Section: 22 Township: 39S (N or S), Range: 9 (E or W) W Meridian
County: Klamath State: OR
Parcel Number: 3909-02200-00202



WO#: 2623618

Landowner Name: ENVIRONMENTAL

Drawn by: DM

This drawing should be used only as a representation of the location of the easement being conveyed. The exact location of all structures, lines and appurtenances is subject to change within the boundaries of the described easement area.

PacifiCorp

SCALE:

05 APR 10 PM 3:25

MTL-68447 KK

AFTER RECORDING RETURN TO:

ECS Composites, Inc.
3560 Rogue River Highway
P. O. Box 188
Grants Pass, OR 97528

GRANTOR:

City of Klamath Falls
500 Klamath Avenue
Klamath Falls, OR 97601

GRANTEE:

Environmental Container Systems, Inc. dba
ECS Composites, Inc.
3560 Rogue River Highway
P. O. Box 188
Grants Pass, OR 97528

CLERK'S STAMP

Vol M05 Page 27447

State of Oregon, County of Klamath
Recorded 04/19/2005 3:25 P m
Vol M05 Pg 27447-52
Linda Smith, County Clerk
Fee \$ 46.00 # of Pgs 6

TAX STATEMENTS:

Until requested otherwise, send all tax statements to:
Environmental Container Systems, Inc. dba
ECS Composites, Inc.
3560 Rogue River Highway
P. O. Box 188
Grants Pass, OR 97528

BARGAIN AND SALE DEED

[Statutory]

The City of Klamath Falls, a Municipal Corporation of the State of Oregon, Grantor, conveys to Environmental Container Systems, Inc., a California corporation, dba ECS Composites, Inc., an assumed business name, Grantee, the following described real property situated in the County of Klamath, State of Oregon, to-wit:

See Attached EXHIBIT "D," incorporated herein by this reference.

RESERVING UNTO GRANTOR A WATER LINE AND SANITARY SEWER
EASEMENT ON THE TERMS AND CONDITIONS SET FORTH IN
ATTACHED EXHIBIT A.

The true and actual consideration paid for such transfer, stated in terms of dollars is \$275,000.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED this 18th day of April, 2005.

City of ~~Klamath~~ Falls - Grantor

By: Jeffrey D. Ball

Jeffrey D. Ball, City Manager

EXHIBIT "B"

460

27452

EXHIBIT "D"
LEGAL DESCRIPTION

PARCEL 1:

Parcel 1 of Land Partition 25-99, said Land Partition being a portion of Parcel 2 of Land Partition 32-95, and being situated in the SW1/4 of Section 15 and the NW1/4 of Section 22, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon.

Tax Account No: 3909-01500-00702-000
Tax Account No: 3909-02200-00202-000

Key No: 873615
Key No: 878721

PARCEL 2:

A parcel of land situated in the NW1/4 of Section 22, Township 39 South, Range 9 East of the Willamette Meridian, Klamath County, Oregon, being the Easterly 398.81 feet of Parcel 3 of Land Partition 32-95 as recorded at the Klamath County Clerks Office, being more particularly described as follows:

Beginning at the Northeast corner of said Parcel 3, said point being marked by a 2-1/2" aluminum cap stamped "City of Klamath Falls"; thence along the Easterly line of said Parcel 3, South 00° 32' 32" West 549.05 feet to the right-of-way line of Joe Wright Road; thence along said right-of-way line North 89° 27' 28" West 398.81 feet; thence leaving said right-of-way line and parallel with said Easterly line North 00° 32' 32" East 549.05 feet to the Northerly line of said Parcel 3; thence along said Northerly line South 89° 27' 28" East 398.81 feet to the point of beginning.

Tax Account No: 3909-02200-00203-000

Key No: 878720

EXHIBIT "B"